

REMARKS

This application has been reviewed in light of the Office Action dated July 13, 2007.

Claims 1, 4-6, and 9-16 are now pending in the application. Claims 1, 5, 10 and 13 have been amended. No new matter has been added. Claims 2 and 3 have been cancelled without prejudice. Claims 7 and 8 have been withdrawn pursuant to a restriction requirement. Applicant reserves the right to pursue claims 7 and 8 by way of a separate divisional application. The Examiner's reconsideration of the rejection in view of the following remarks is respectfully requested.

By the Office Action, claim 13 was objected to for a typographical error. Claim 13 has been amended accordingly. Reconsideration of the objection is earnestly solicited.

By the Office Action, claims 5 and 10 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claims 5 and 10 have been amended in a way believed to overcome the rejection. Reconsideration is respectfully requested.

By the Office Action, claims 1-5, 14 and 16 stand rejected under 35 U.S.C. §102(b)/103 as being anticipated or obvious in view of by U.S. Patent Publication No. 2001/0040809 to Sools et al. (hereinafter Sools).

The Applicant respectfully disagrees with the rejection.

Sools is directed to a luminaire which employs a cyclohexane solvent and is silent as to the use of a water based solvent for coatings (see Sools at page 2 paragraph [0019]). The Examiner relies on the statement that the solvent is removed and therefore is no longer present in the finished product. However, referring to page 4, lines 14-21, it states "the coating 4 comprises a water-based solvent, for example de-ionized water, and a binder The coating 4 is crosslinked with polyisocyanate . . . to improve its mechanical properties and UV resistance. . . . The coating 4 is finally dried at 60 degrees C so that a good chemical network is formed." It is respectfully submitted that

the water based composition of the coating is crosslinked then cured and that the water is part of its structure and part of the formation of the coating. The coating disclosed and claimed by the present claims at least provides protection from discoloration and aging effects experienced by prior art solutions.

While the solvent is employed to assist in applying the coating, the coating includes 80% by weight of water. Further, the coating is crosslinked to improve its mechanical properties. The coating inevitably includes water in its composition, and the use of a water based solvent and its effect on the final composition provides the advantages disclosed over the prior art. This is not only advantageous from the standpoint of reducing polluting emissions both at the time of fabrication and in the future (see page 3, lines 6-8 ("no environmentally unfriendly solvents are presently used"), but the water-based solvent coating reduces aging and discoloration experienced by prior art devices (see page 1, lines 19- page 2, line 2).

Claim 1 presently recites, *inter alia*, a luminaire ... the diffuse reflective coating having a water-based solvent comprising at least 80% by weight of water, the coating comprising at least 30% by weight of a binder based on a polymer having the following structural formula:

-[CR¹R²-CR³R⁴]- wherein R¹ comprises an element chosen from the group Br, Cl, I, F, H, wherein R² comprises an element chosen from the group Br, Cl, I, F, H, or an alkyl group, wherein R³ comprises an element chosen from the group Br, Cl, I, F, H, or COOCH₃, and wherein R⁴ comprises an element chosen from the group Br, Cl, I, F, H, OH, or vinylether, vinylether.

Sools fails to disclose or suggest at least having a water-based solvent comprising at least 80% by weight of water, and the coating comprising at least 30% by weight of a binder based on a polymer. Sools does not identify the discoloration or aging problems addressed in accordance

with the present invention. It is therefore respectfully submitted that claim 1 is allowable over Sools. For at least the reasons stated. Reconsideration is respectfully requested.

It is noted that Sools is commonly assigned with the present disclosure. Should the Examiner consider an obvious-type double-patenting rejection. the Applicant would consider a terminal disclaimer.

By the Office Action, claims 1-3, 6, 9 and 11-14 stand rejected under 35 U.S.C. §102(b)/103 as being anticipated or obvious in view of by U.S. Patent No. 3,306,956 to Barnette (hereinafter Barnette).

The Applicant respectfully disagrees with the rejection.

Barnette is directed to a system where decorative patterns are provided on light transmissive panels. The patterned layers are concerned with transmissive properties of the materials employed, and are contemplated for stained glass or window-like applications. The Examiner states that the compositions taught by Barnette meets the currently presented claims. It is respectfully submitted that the Barnette fails to disclose or suggest at least: a diffuse reflective coating that is provided on an inner side of said housing, the diffuse reflective coating having a water-based solvent comprising at least 80% by weight of water, the coating comprising at least 30% by weight of a binder based on a polymer having the [following] structural formula ... vinyllether.

As described above, the beneficial effects provided by the present invention are realized through a water-based solvent comprising at least 80% by weight of water, and at least 30% by weight of a binder. Barnette does not disclose or suggest these features, and fails to identify the problems or the structure presently recited by at least claim 1. For example, Barnette is directed to transmissive sheets that permit light to pass through. (See col. 11, lines 26-53, which were cited by the Examiner, "light transmitting film 10", etc. A diffuse reflective coating provided on

an inner side of the housing with the features as set forth in claim 1 are not disclosed or suggested by Barnette. In fact, one skilled in the art with knowledge would not look to Barnette to solve the problems addressed by the present invention, namely discoloration and aging effects, for example. Barnette focuses on a translucent or opaque patterns with jewel-like transmissive properties, creases, non-conformities, etc. to alter the transmission of light into a desired pattern. Barnette makes decorative panels and does not disclose or suggest the present structure or solutions provided in accordance with the present claims. Barnette does not disclose a diffuse reflective coating used on an inner surface of a housing including a water based solvent and a binder as set forth in claim 1. Barnette therefore does not disclose or suggest the present invention as claimed, nor does Barnette render the present claims obvious based on its teachings. Reconsideration of the rejection is respectfully requested.

By the Office Action, claims 1-5, 14 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sools in view of U.S. Patent No. 4,141,873 to Dohany (hereinafter Dohany).

The Applicant respectfully disagrees with the rejection.

The Examiner cites Dohany to cure the deficiencies of Sools. While Dohany teaches the implementation of a water based vinylidene fluoride/acrylate coating, the coating is formed as a protective coating to provide, e.g., solvent or chemical resistance, etc. The optical properties (reflective properties) of such a coating are not disclosed or suggested, nor are such properties of concern in Dohany. There is no teaching or suggestion of forming a coating with reflective capabilities. In fact, one skilled in the art with knowledge of Sools (cyclohexane solvent) and Dohany (chemical resistive coatings) would not have been motivated to combine these references.

Dohany discloses a monomer structure that includes a different chemical composition (see, e.g., oxygen, among other differences). This structure of Dohany does not provide any motivation to

combine the reference with Sools to arrive at the present invention. Sools is not looking for a protective coating and Dohany is not trying to provide preferable reflective light properties. Sools does not provide any motivation to use the monomer of Dohany, nor does Sools teach or suggest using a water based solvent coating to solve the aging and coloration issues addressed in the present disclosure. Sools would require at the very least, some suggestion for the usage of a water based solvent coating, and even than Dohany would have to teach desired reflective effects. Neither reference provides proper motivation to combine it with the other.

It is therefore respectfully submitted that the cited combination fails since at least proper motivation to combine the references is not provided. Even if, *arguendo*, Sools and Dohany are combined, the combination fails to disclose or suggest all of the elements recited in amended claim 1. For example, the cited combination fails to disclose or suggest at least: a diffuse reflective coating having a water-based solvent comprising at least 80% by weight of water, and at least 30% by weight of a binder based on a polymer having the following structural formula:

-[$-CR^1R^2-CR^3R^4-$]- wherein R¹ comprises an element chosen from the group Br, Cl, I, F, H, wherein R² comprises an element chosen from the group Br, Cl, I, F, H, or an alkyl group, wherein R³ comprises an element chosen from the group Br, Cl, I, F, H, or COOCH₃, and wherein R⁴ comprises an element chosen from the group Br, Cl, I, F, H, OH, or vinyl/ether, vinyl/ether. Reconsideration of the rejection is earnestly solicited.

By the Office Action, claims 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Barnette, and claims 15 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Barnette in view of U.S. Patent No. 6,057,961 to Allen (hereinafter Allen).

As set forth above, claim 1 is believed to be in condition for allowance. Therefore, claims 10, 15 and 16 are also believed to be in condition for allowance due at least to their

dependency from claim 1.

These and other dependent claims are believed to be allowable for other reasons as well. For example, claim 6 recites wherein the diffuse reflective coating is cross-linked with a polyisocyanate compound. Sools, Barnette, and/or Dohany fail to disclose or suggest that the diffuse reflective coating is cross-linked with a polyisocyanate compound. Claim 6 is therefore believed to be in condition for allowance, as well as the other dependent claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 14-1270.

Respectfully submitted,

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